



Disciplinary Policy and Procedures

June 2025

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1. Policy Purpose

- 1.1. England Squash, as the National Governing Body for squash in England, is committed to ensuring the highest standards of behaviour are upheld across the game in order to positively influence mental and physical wellbeing across the squash community. We take incidents of poor practice or behaviour or breaches of the Code of Conduct seriously and aim to resolve disputes promptly with fairness and transparency.
- 1.2. This Disciplinary Policy and Procedures sets out the standards of behaviour expected from all players, coaches, officials, and members of England Squash. It ensures a fair, transparent, and consistent approach to addressing any breaches of conduct or behaviour.
- 1.3. It is important that all those who work, participate and volunteer in and around squash at any level understand this Policy and the procedures laid out within it and demonstrate their commitment to driving up the standards in the game for the enjoyment of all who play and are involved in the game. All Members of England Squash are therefore required to ensure that all persons involved in the sport are expressly bound by, and that their attention is drawn to, this Policy and the associated England Squash Code of Conduct.
- 1.4. This Policy may be amended under the authority of the Board of England Squash at any time and at its sole discretion and such amendments shall be effective from the date stated.

2. Scope

- 2.1. This Policy is the means by which England Squash exercises disciplinary authority in relation to its rules, policies, procedures and Code of Conduct and is binding on all players, coaches, officials, and members of England Squash.
- 2.2. The procedures within this Policy serve as part of the rules of membership of England Squash.
- 2.3. The laws of England and Wales apply to the procedures within this Policy.
- 2.4. Disciplinary matters relating to other specific policies, such as Anti-Doping, will be dealt with under the procedures laid out in the relevant policy. Disciplinary matters relating to player conduct and on court offences are set out in the England Squash Code of Conduct.
- 2.5. England Squash is an employer and any grievance or disciplinary matters concerning members of the staff of England Squash shall be dealt with under the procedures in its Employee Handbook.

- 2.6. Subsequent resignation from membership or cessation from being a participant shall not prevent England Squash taking disciplinary action in accordance with this Policy in relation to an incident that took place or partially took place whilst the Respondent was a participant.
- 2.7. England Squash will not be liable to any person, or body for any loss, however caused, whether direct, indirect, financial or consequential arising out of or in connection with any disciplinary action taken under this Policy.

3. Jurisdiction

- 3.1. The jurisdiction of this Policy shall include without limitation the following:
 - 3.1.1. Alleged breaches of the Rules of Squash, disqualifications and any breach of this Policy in relation to any England Squash Tournament whether or not already dealt with in relation to the England Squash Code of Conduct. For the avoidance of doubt, a matter already dealt with by an official during a tournament may also be considered and dealt with under this Policy;
 - 3.1.2. Complaints regarding the behaviour or conduct of a participant in or in relation to an England Squash Tournament or England Squash team;
 - 3.1.3. Complaints regarding alleged breaches of the policies, procedures, codes, and practices of England Squash and its statement of values as set out in the England Squash Code of Conduct;
 - 3.1.4. Non-compliance with any sanction imposed by a previous Disciplinary or Appeal Panel.
- 3.2. Where an individual has been charged with a criminal offence or is the subject of an investigation by the Police, Social Services or any other public or other investigatory authority, in respect of conduct which is or may be grounds for disciplinary action as outlined in this section, England Squash shall seek advice from the relevant agency as to whether or not it postpones consideration of the matter under this Policy pending the outcome of any such proceedings/investigation, and as to whether or not in the meantime, an interim suspension should be imposed under this Policy.
- 3.3. Any person suspended or banned by any other sporting body may be suspended or banned concurrently by England Squash. Before imposing any such suspension or ban, England Squash will grant the person the opportunity to offer an explanation at a disciplinary hearing in accordance with this Policy.
- 3.4. England Squash shall have jurisdiction over any decision to determine the most appropriate level (local, county or national) to resolve a Disciplinary Matter.

Further details of the various levels can be found in Appendix A of this document.

- 3.5. For the avoidance of doubt, once an Appeal has been heard in line with the levels above, there is no further Right of Appeal.
- 3.6. Club or county disciplinary matters are expected to follow rules and procedures consistent with those set out as per their own organisational policies.
- 3.7. England Squash reserves the right to refer a matter to the Sport Integrity Service under the Rules of Procedure of that service. This may involve the commission of an independent investigation or disciplinary procedure into alleged grievances, or allegations of misconduct involving: i) athletes; ii) athlete support personnel; or iii) England Squash office holders as defined within the Rules of Procedure;
 - 3.7.1. where an individual is deemed a 'Relevant Person' under the Sport Integrity Service Rules of Procedure; and
 - 3.7.2. they are a respondent to allegations of misconduct as defined as a 'Relevant Matter' under the same regulations.

In such circumstances they are required to cooperate with any investigation conducted by Sport Integrity.

4. Disciplinary Matters Involving Children, Young People or Adults at Risk

- 4.1. Where a disciplinary matter involves a Child, Young Person or an Adult at Risk and is not a safeguarding concern, England Squash, the Disciplinary Panel and/or Appeal Panel must be mindful of the needs of the person in question and take these into account when deciding upon the format of proceedings or indeed whether any action is taken against such a person.
- 4.2. Where a disciplinary matter involves a Child, Young Person or Adult at Risk, the Chair of the Disciplinary Panel and/or the Appeal Panel shall ensure at least one member who is suitably trained at dealing with such Children, Young Persons or an Adults at Risk is represented on the panel from the Safeguarding Team.
- 4.3. Any interviews of a Child, Young Person or Adult at Risk shall only be conducted by suitably trained and experienced persons nominated by England Squash.
- 4.4. Written permission should be obtained from any parent/carer of a Child, Young Person or Adult at Risk where such person is asked to provide evidence and/or attend a hearing. Where a Child, Young Person or Adult at Risk is asked to attend a hearing, they shall be afforded the opportunity to do so accompanied by any

parent/carer and the Disciplinary Panel and/or Appeal Panel shall make sure that the Child, Young Person or Adult at Risk fully understands the process taking place. In exceptional circumstances, where written permission is not obtained from a parent/carer, assessment should be made of the ability of the Child, Young Person or Adult at Risk to understand and make their own decisions.

- 4.5. For the avoidance of doubt, the refusal of the parent/carer, Child, Young Person or Adult at Risk to co-operate shall not preclude England Squash from taking disciplinary action against the Child, Young Person or Adult at Risk in accordance with this Policy.

5. Suspension before Determination of Unacceptable Conduct

- 5.1. In the event that the alleged conduct is deemed to be sufficiently serious, England Squash may seek at any time following the receipt of the Notice of Incident to impose an interim suspension upon the Respondent.
- 5.2. An interim suspension shall not be deemed to be a disciplinary sanction until such time as the matter is determined by the Disciplinary Panel, when it may be taken into account in respect of the imposition of any sanctions.
- 5.3. Interim suspension orders will be made where it is considered by England Squash that such action is appropriate which shall include without limitation the following reasons:
 - 5.3.1. The level of seriousness of the alleged conduct;
 - 5.3.2. For the protection of the Respondent or other Participants;
 - 5.3.3. In cases involving allegations of gross misconduct;
 - 5.3.4. Where there is a risk to the reputation of England Squash to fail to suspend;
and
 - 5.3.5. Where a failure to suspend may impede internal investigations or prejudice investigations by external organisations.
- 5.4. Suspensions may be imposed for a defined or indefinite period. The nature of the suspension will be communicated to the Respondent in writing. All suspensions will be reviewed on a periodic basis.
- 5.5. A Respondent who has been suspended may apply to England Squash for the suspension to be lifted. England Squash shall determine whether the decision to impose a temporary suspension was and remains appropriate in the

circumstances and shall communicate the decision to the Respondent within 10 working days of the application for appeal of the original decision.

- 5.6. England Squash may communicate the fact of the suspension to any relevant third parties.
- 5.7. Interim suspensions imposed on a Respondent will apply universally such that a person will not play, coach, spectate or participate in any England Squash activities and/or some or all activities of a member as indicated to the Respondent in the notice of suspension anywhere in England during the period of suspension.
- 5.8. Any suspension under this paragraph will automatically cease if any of the following occurs (whichever is soonest):
 - 5.8.1. The matter has been determined by the Disciplinary Panel under the Discipline Policy and Procedures; or
 - 5.8.2. Notice of the alleged conduct is withdrawn and no further action is taken; or
 - 5.8.3. The matter is resolved by way of mediation or alternate dispute resolution
- 5.9. When an individual is under interim suspension, England Squash will endeavour to instigate, manage and conclude any proceedings under this Policy and Procedures as soon as reasonably practicable.
- 5.10. Any breach of an interim suspension shall constitute grounds for further disciplinary action under this Disciplinary Policy and Procedures.

6. Disciplinary Hearing

- 6.1. Where England Squash determines that a Complaint or Notice of Incident shall be dealt with by way of a disciplinary hearing, England Squash shall be required to inform the Respondent of the disciplinary charge against them with specific reference to the rules, procedures or codes alleged to have been breached (the 'Notice of Charge') and shall be required to state the charge and produce its evidence in support.
- 6.2. The Respondent has 10 working days from receipt of the Notice of Charge to submit a written reply to the Notice of Charge to either:
 - 6.2.1. accept the charge acknowledging that Section 10.4 shall govern proceedings; or
 - 6.2.2. deny the charge in which case the matter will be dealt with by a full disciplinary hearing.

- 6.3. If the Respondent accepts the charge, England Squash may deal with the case in the Respondent's absence in accordance with Section 10.4. The Respondent is permitted to make written representations in relation to mitigation within 10 working days from accepting the charge.
- 6.4. If the Respondent does not accept the charge, England Squash shall appoint a Chair and a Disciplinary Panel in accordance with Section 7.
- 6.5. The Disciplinary Panel shall have jurisdiction to conduct disciplinary hearings and impose sanctions upon those persons/bodies subject to the Procedures.
- 6.6. A member of England Squash Senior Leadership Team shall act as the secretary and administrator for the Disciplinary Panel and shall not be a member of the Disciplinary Panel. The member of England Squash Senior Leadership Team shall appoint the Disciplinary Panel within 10 working days from the response from the Respondent made in accordance with Section 6.2.
- 6.7. England Squash reserves the right to commence disciplinary proceedings under this procedure and then transfer proceedings to another procedure when appropriate. The Complainant will be notified in writing about any change to the Procedures under which their case will proceed.

7. Composition of the Disciplinary Panel

- 7.1. A Disciplinary Panel will normally consist of three members. The members of the Disciplinary Panel shall ordinarily be appointed from the individuals listed on the Disciplinary Panel Register, however in some circumstances for example, where individuals on the Register are not available, England Squash may deem it necessary to appoint a suitable person not listed on the Register in order to conduct a timely investigation. The Disciplinary Panel shall be formed by England Squash, who shall also nominate the Chair of the Disciplinary Panel, who shall have appropriate experience to chair the Panel. England Squash shall appoint those individuals from the Disciplinary Panel Register who it is deemed are the most appropriate/qualified to hear the specific case.
- 7.2. Each Panel shall have at least one member who is not, and who has never been an employee, contractor or board member of England Squash, and who has relevant knowledge and experience.
- 7.3. Upon formation of the Disciplinary Panel, England Squash shall inform the Respondent of its composition.
- 7.4. The Respondent may object to the composition of the Disciplinary Panel by notifying England Squash in writing of the objections and setting out the

reasons for such objections no later than 5 working days from the date of being informed of the composition of the Disciplinary Panel.

- 7.5. England Squash shall immediately forward any objection received in relation to the members of the Disciplinary Panel to the Chair of the Disciplinary Panel who shall consider the objections and determine whether they are valid or in their opinion, or there are no grounds for objection, in which case the Chair shall reject the objection.
- 7.6. If the objection is made against the Chair of the Disciplinary Panel, then another member of the Disciplinary Panel must assess the objection.
- 7.7. Where the objection is made against all of the Disciplinary Panel then the England Squash must assess the objection.
- 7.8. England Squash shall notify the Respondent in writing within 5 working days from the date of receipt of any objection to the composition of the Disciplinary Panel that either:
 - 7.8.1. the composition of the Disciplinary Panel has changed (in which case England Squash shall provide details of the new Disciplinary Panel); or
 - 7.8.2. the composition of the Disciplinary Panel has not changed (in which case the England Squash will give reasons why the party's reasons for objecting has not been accepted).
- 7.9. The decision by the Chair of the Disciplinary Panel or relevant Disciplinary Panel Participant on the composition of the Disciplinary Panel under this provision shall be final.

8. Pre-Hearing Procedure

- 8.1. Where the Respondent disputes the charge then England Squash shall, within 10 working days of the appointment of the Disciplinary Panel, inform all parties of the hearing date, place and time.
- 8.2. Other than convening the hearing, all steps and the timetable for any steps from the appointment of the Disciplinary Panel until the final adjudication of the matter shall be at the discretion of the Chair of the Disciplinary Panel, save where otherwise set out in the Procedures.
- 8.3. All parties must notify the Chair of any evidence, including all documents, witness statements and any witnesses to be called to give evidence (if any), relating to the matter that they wish the Disciplinary Panel to consider in relation to the matter.

- 8.4. The Chair of the Disciplinary Panel shall determine a timetable for any steps to be taken prior to hearing and for the production and exchange of any evidence and what evidence shall be permitted at hearing.
- 8.5. The Chair of the Disciplinary Panel shall have power to make such further directions relating to the provision of evidence or the conduct of the hearing as, in his/her sole discretion, are deemed necessary. These may include, but shall not be limited to:
 - 8.5.1. pre-hearing meetings of the Disciplinary Panel to agree procedural issues;
 - 8.5.2. production, inspection and/or exchange of documents, witness statements and other evidence;
 - 8.5.3. exchange of skeleton arguments;
 - 8.5.4. any direction concerning the determination of any issue on paper in advance of the hearing or the extent to which evidence shall be agreed.
- 8.6. If no evidence and / or documentation is received by either party within any time limit imposed the Disciplinary Panel may consider the matter in the absence of such evidence, and upon on the basis of the facts and statements in its possession.
- 8.7. Each party shall inform the Chair no less than 5 days before the hearing if they will be legally represented or accompanied by another third party.
- 8.8. It shall be the duty of the parties at their own cost to notify and arrange the attendance of any legal representation and /or any witnesses they may wish to call.
- 8.9. Time limits referred to in the Procedures can be extended at the discretion of England Squash before the appointment of a Chair of the Disciplinary Panel and thereafter only by the Chair of the Disciplinary Panel. Either party may apply to the Chair of the Disciplinary Panel to extend or vary any time limits set out in the Procedures including retrospectively.

9. Service of Documents

- 9.1. Each party must send all communications to England Squash who shall distribute copies as appropriate to the Disciplinary Panel and any Interested Parties.
- 9.2. Any notification, correspondence or any other document submitted under the Procedures must be sent in writing by email transmission.

- 9.3. Any documents served under the Procedures shall be deemed to be served by email transmission on that day, if it is transmitted on a working day before 17:00 hours, failing which it will be deemed to be served on the next following day after it is transmitted.
- 9.4. Any document served under the Procedures will be deemed to be received by the relevant party on a particular day, if it is received by that body or person (as appropriate) at or before 17:00 hours on a business day. If it is received at any time thereafter, or if it is received during a non-business day, it will be deemed to have been received the next following business day (the "Date of Receipt"). Any time periods stipulated in the Procedures are deemed to commence from the Date of Receipt.

10. The Conduct of Hearings

- 10.1. The conduct of disciplinary proceedings will be in accordance with the principles of natural justice as determined by and consistent with the law of England and Wales.
- 10.2. Proceedings, findings or decisions of a Disciplinary Panel shall not be invalidated by reason of any minor defect, irregularity, omission or technicality unless such defect, irregularity, omission or technicality amounts to a material irregularity and forms a ground of appeal.
- 10.3. The standard of proof in all disciplinary cases (including appeals) is the balance of probabilities and not, as in a criminal court, beyond all reasonable doubt. The Disciplinary Panel will be required at all times to observe the rules of natural justice.
- 10.4. Where a Complaint is referred to the Disciplinary Panel and the Respondent admits the offence in accordance with Section 6.2, the matter may be dealt with summarily (i.e. without a hearing) by the Disciplinary Panel who may impose any sanction which a Disciplinary Panel could have imposed had the alleged breach been referred to it and a breach been established to its satisfaction. The conditions for the imposition of such a sanction shall be that:
- 10.4.1. the Respondent must consent to the matter being dealt with summarily under this Section;
- 10.4.2. the Disciplinary Panel shall give due consideration to any arguments provided in mitigation by the Respondent in accordance with Section 6.3; and
- 10.4.3. there is no appeal against a decision imposed under this provision notwithstanding that a person subject to a summary decision may appeal

against the sanction imposed if the Respondent considers it to be disproportionate to the facts of the matter.

10.5. The Disciplinary Panel and Appeal Panel will not be obliged to follow strict rules of evidence. They may admit such evidence as they think fit and accord such evidence such weight as they think appropriate in all the circumstances. Where the subject matter of a complaint or matter before the Disciplinary Panel or Appeal Panel has been the subject of previous civil or criminal proceedings, the result of such proceedings and the facts and matters upon which such result is based will be presumed to be correct and the facts presumed to be true unless it is shown by clear and convincing evidence that this is not the case.

10.6. The Disciplinary Panel shall decide any issue by majority but shall not be required to indicate whether a decision has been taken unanimously or not. No member of the Disciplinary Panel may abstain from voting.

10.7. The Procedure for the hearing shall be flexible and shall be at the discretion of the Chair of the Disciplinary Panel, who may make such Decisions as necessary to ensure the orderly and effective conduct of the hearing, subject to the overriding requirement of fairness. The Chair of the Disciplinary Panel will then outline the basic procedure of the Hearing.

10.8. Usually, this will be as follows:

10.8.1. The case against the Respondent will be presented by England Squash, together with relevant evidence, including witness evidence, if appropriate. In such cases where it is deemed appropriate to do so, England Squash may appoint a third party to present the case against the Respondent;

10.8.2. Respondent or their representative will be asked to admit or deny the disciplinary charge and will then have the opportunity to speak, challenge the evidence presented against them, submit their own evidence, call witnesses and make representations to the Disciplinary Panel. The evidence of further witnesses not notified in accordance with the Procedures will be admitted only at the sole discretion of the Chair of the Disciplinary Panel;

10.8.3. before being called, witnesses will not be allowed in the room while evidence is being given;

10.8.4. questions may be put by the Disciplinary Panel to the Respondent and England Squash and each witness on conclusion of their evidence;

10.8.5. the Respondent and England Squash may be able to raise questions in cross-examination;

- 10.8.6. the Respondent and England Squash will be allowed to make a closing statement to the Panel;
- 10.8.7. the room will be cleared and the Panel will deliberate and determine whether, on the balance of probabilities, the disciplinary charge has been proved;
- 10.8.8. the Disciplinary Hearing will reconvene and the Chair of the Disciplinary Panel will announce whether or not the disciplinary charge has been proved unless the Chair of the Disciplinary Panel deems it fit to defer the Disciplinary Panel's decision;
- 10.8.9. if the Respondent admits the disciplinary charge or the Panel decides the disciplinary charge has been proved, the Panel will review the Respondent's previous disciplinary record, where relevant, to consider sanctions and costs;
- 10.8.10. the Disciplinary Panel will invite the Respondent to set out any mitigating arguments;
- 10.8.11. the room will again be cleared and the Panel shall determine the appropriate sanction in accordance with the Procedures;
- 10.8.12. those representing a Respondent at a Hearing may present and sum up their case, but they are not permitted to answer questions put to the Respondent.
- 10.9. If the Chair of the Disciplinary Panel feels it is necessary, bearing in mind all the circumstances surrounding the case, the Disciplinary Panel may, at its discretion, request an Independent Person to act as adviser to the Disciplinary Panel.
- 10.10. Chair of the Disciplinary Panel has the authority to adjourn the Hearing to allow for additional evidence to be presented only if they consider it important and relevant in reaching a decision.
- 10.11. The Chair of the Disciplinary Panel may determine that persons other than the parties shall be permitted to attend the hearing where this is in the interests of justice.
- 10.12. The Chair of the Disciplinary Panel may determine that attendance by the Complainant, Respondent and any witnesses involved may be via conference call, video link or other suitable method. The Chair of the Disciplinary Panel may also determine that any written evidence may be admitted where giving evidence and being cross examined in person is not reasonably possible or

desirable but the Disciplinary Panel should take the relative weight of such evidence into account when making its determinations.

- 10.13. If the Respondent does not attend the Hearing arranged as above, provided that the Disciplinary Panel is satisfied that notice of the hearing was served properly, it may proceed to hear the evidence in the absence of the Respondent.
- 10.14. In the light of the evidence presented to it, the Disciplinary Panel may find a Respondent guilty of a less or more serious disciplinary charge than originally set out in the Notice of Charge.
- 10.15. If the alleged disciplinary charge has not been proved, the Chair of the Disciplinary Panel shall so state and the Disciplinary Panel shall dismiss the Complaint.
- 10.16. The Chair of the Disciplinary Panel has the discretion to adjourn the Hearing if at any time they think the interests of justice require it (for example to secure the attendance of a key witness or other important evidence).
- 10.17. The Disciplinary Panel may limit cross-examination.
- 10.18. In circumstances where a person other than the parties is present and it appears to Chair of the Disciplinary Panel that any person giving evidence may expose themselves to unnecessary risk the Chair may require a non-party to withdraw whilst that evidence is given.
- 10.19. England Squash shall make a detailed written record of the Disciplinary Panel proceedings. The proceedings may also be audio-recorded.
- 10.20. The Disciplinary Panel shall not be bound by the rules of Court (or any legislative provision) governing procedures. All hearings shall be conducted in a fair and orderly manner, with each party having a reasonable opportunity to give and call evidence, address the Disciplinary Panel and present their case.
- 10.21. Except in the case of appeals, a failure to observe the time limits specified in the Procedures shall not nullify any proceedings, but such failure may be a cause for a hearing to be adjourned.

11. The Decision of the Disciplinary Panel

- 11.1. The Chair of the Disciplinary Panel may:
- 11.1.1. announce the decision of the Disciplinary Panel on the date of the hearing and any sanction to be imposed in accordance with Section 12; or

- 11.1.2. defer the Disciplinary Panel's decision to a later date.
- 11.2. Any deviation from these Procedures by a Disciplinary Panel shall not invalidate any finding, procedure or decision unless that deviation raises material doubt as to the reliability of the finding, procedure or decision.
- 11.3. The Disciplinary Panel shall normally provide the written reasons of the Decision to the Respondent, the Complainant and England Squash within 20 working days of the Decision.
- 11.4. The written reasons of the Decision shall include:
 - 11.4.1. the identity and composition of the Disciplinary Panel;
 - 11.4.2. the names of the parties;
 - 11.4.3. a summary of the facts;
 - 11.4.4. the Rule / Section on which the Decision is based;
 - 11.4.5. grounds of the Decision;
 - 11.4.6. the sanction (if any) to be imposed on the Respondent in accordance with the Procedures;
 - 11.4.7. any order for costs; and
 - 11.4.8. the appropriate appeals procedure in accordance with the Procedures.

12. Available Sanctions

- 12.1. The Disciplinary Panel may reject the Complaint or where the Complaint is upheld, impose such sanctions upon the Respondent as it thinks fit including without limitation:
 - 12.1.1. A written or verbal warning or reprimand in respect of the misconduct or rule breach committed;
 - 12.1.2. Exclusion from England Squash activities including England Squash Tournaments, teams, meetings or other events as a Player, Official, Spectator or Volunteer;

12.1.3. Suspension for a specified period or removal from any office held within England Squash;

12.1.4. Exclusion from holding office within England Squash for a specified or indefinite period of time;

12.1.5. Withdrawal of some or all of any Squash related financial support or benefits;

12.1.6. A requirement to undertake training or be subject to a period of monitoring/mentoring; or

12.1.7. A combination of any of the above or any other disciplinary action as considered appropriate and in accordance with the Rules and Articles of Association of England Squash.

12.2. The decision taken by the Disciplinary Panel in relation to the sanction to be imposed must be reasonable and proportionate in all circumstances.

12.3. The Disciplinary Panel may order that any part of sanction be suspended for a specified period (not exceeding twelve months). If the person benefiting from a suspended sanction commits another breach of the Rules and Procedures of England Squash or is the subject of a further Complaint during the period of such suspended sanction which is subsequently upheld, then the suspension of the sanction is automatically revoked and that sanction is added to the sanction pronounced for the new breach.

12.4. Any suspension imposed by a Disciplinary Panel may be backdated to take into account any interim suspension that may have been imposed pursuant to Section 5.

12.5. All financial sanctions should be paid within 30 working days from the notice of the fine or financial sanction being applied or this failure to pay will be classed as a disciplinary matter and action will be taken by England Squash in accordance with the Procedures. Interest shall be paid at the rate applicable to judgment debts in England from the end of the 30 working days period until the actual date of payment.

13. Publication of Decisions

13.1. England Squash will ordinarily publish details of any disciplinary action taken, including publication of any decision made by the Disciplinary Panel where a Complaint is upheld.

13.2. The Disciplinary Panel in giving a Decision may provide that part of the Decision will be redacted or that details of or the Decision itself may not be published.

13.3. England Squash may at any time during the disciplinary or dispute resolution process notify any other relevant body of any details relating to the Complaint or Dispute as such body may need to know for the proper exercise of its functions including but not limited to Members.

13.4. Where it appears that public knowledge of a Complaint exists, prior to its determination, England Squash reserves the right to confirm the details of such Complaint subject to the consent of the Complainant and the Respondent.

14. Costs

14.1. The Disciplinary Panel may, at its discretion, make an order for the costs relating to the disciplinary action to be paid in such proportion as they may decide by any of the parties. The Disciplinary Panel will not ordinarily make an order for costs without first considering submissions from the relevant parties on the question of costs.

14.2. These costs may include travel and accommodation expenses reasonably incurred by the Disciplinary Panel and England Squash in the preparation and holding of the Disciplinary Hearing and any legal costs incurred by the Disciplinary Panel. In calculating the amount, any legal representation or professional charges incurred by the Complainant (unless the Complainant is England Squash) or the Respondent will not be included.

14.3. Such orders for payments of costs shall not form any part of or influence any fines or other sanctions.

15. Appeal of the Decision of the Disciplinary Panel

15.1. An Appeal Panel convened in accordance with these Procedures is competent to hear appeals in the following circumstances:

15.1.1. Decisions of a Disciplinary Panel;

15.1.2. Decisions of any other body, panel or committee of England Squash which has been created in accordance with the Articles of Association and or the Rules of England Squash from time to time.

15.2. Leave to appeal can only be sought against a Decision on one or more of the following grounds:

15.2.1. the Decision was based on error of fact or could not have been reasonably reached by a Disciplinary Panel when faced with the evidence before it;

15.2.2. serious procedural or other irregularity in the proceedings before the Disciplinary Panel;

15.2.3. significant and relevant new evidence has become available which was not available before the conclusion of the Hearing but, had it been available, may have caused the Disciplinary Panel to reach a materially different decision; and/or

15.2.4. sanction imposed was manifestly unreasonable in the light of the facts before the Disciplinary Panel.

15.3. In accordance with Section 10.4.3, a Respondent whose case was dealt with summarily may only appeal on the grounds set out in Section 15.2.4.

15.4. The party seeking leave to appeal (the 'Appellant') shall serve a Notice of Appeal in writing upon England Squash within 10 working days following receipt of the written grounds of the Decision against which the appeal is being made.

15.5. The Notice of Appeal shall:

15.5.1. state the date and decision of the Disciplinary Panel against which the appeal is lodged;

15.5.2. state the grounds of appeal relied upon in accordance with Section 15.2;

15.5.3. set out the statement of facts upon which the appeal is based, specifying whether the appeal is against finding and sanction or just sanction alone and include any supporting documentation upon which the Appellant will rely.

15.6. Upon receipt of the Notice of Appeal, England Squash will refer the matter to a member of the Disciplinary Panel Register to consider the matter and decide if the Notice of Appeal shows that grounds are made out for the appeal to be determined under the Procedures. If the member of the Disciplinary Panel

Register is satisfied that there are grounds to do so, the matter shall be referred to the Appeal Panel.

15.7. A decision as to whether to grant leave to appeal shall be taken within 10 working days from receipt of the Notice of Appeal. Such decision will be notified to the Appellant and any Interested Parties.

16. Composition and Powers of the Appeal Panel

16.1. An Appeal Panel will consist of three members. A member of England Squash Senior Leadership Team shall act as the secretary or administrator for the Appeal Panel and shall not be a member of the Appeal Panel. England Squash shall appoint the Appeal Panel within 10 working days from notification of the decision to grant leave to appeal in accordance with Section 15.7.

16.2. The members of the Appeal Panel shall be appointed from the individuals listed on the Disciplinary Panel Register. The Appeal Panel shall be formed by England Squash, who shall also nominate the Chair of the Appeal Panel.

16.3. The members of the Appeal Panel shall not have been members of the original Disciplinary Panel which considered this case or had any previous involvement in the case.

16.4. England Squash may appoint a legal representative to assist with any Appeal Panel. They shall be permitted to be involved in all stages of the process but shall not be considered to be a member of the Appeal Panel.

16.5. The Chair of the Appeal Panel is empowered to decide:

16.5.1. the time and place of any hearing;

16.5.2. that the appeal hearing shall be paper based (via email) or that the hearing be carried out via an online platform such as Microsoft Teams subject to the consent of all parties;

16.5.3. the nature of the evidence (if any) that it requires to be cited as evidence;

16.5.4. who (if anybody) should be invited to appear at any hearing; and

16.5.5. how and when any decision it takes should be acted upon.

17. Pre-Appeal Panel Procedures

- 17.1. Where the Appeal Panel has been convened England Squash will send a copy of the Notice of Appeal along with confirmation of the composition of the Appeal Panel to the Complainant, the Appeal Panel and any Interested Parties;
- 17.2. The Chair of the Appeal Panel shall then decide the appropriate course of action for the appeal in accordance with Section 16.5. Upon making its decision which shall be no longer than 10 working days after the Appeal Panel has been convened, England Squash will send notice to all the parties including:
 - 17.2.1. the decision of the Appeal Panel as to the course of action for the appeal;
 - 17.2.2. notification to all parties of the date, time and place of the hearing ensuring that that all parties are given at least 10 working days' notice of the hearing;
 - 17.2.3. asking the Appellant, whether they will be represented or accompanied by an advocate or other third party, whether they wish to call witnesses to give evidence, and who they intend to have present at the hearing;
 - 17.2.4. inviting Interested Parties to attend the hearing and make any submissions deemed necessary; and
 - 17.2.5. supply copies of any evidence and/or information previously provided to the England Squash in relation to the case, including the initial Complaint, the Disciplinary Panel's Decision, and any further evidence and/or information deemed necessary.
- 17.3. The Chair of the Appeal Panel shall have power to make such further directions relating to the provision of information/evidence or the conduct of the hearing as, in their sole discretion, are deemed necessary.
- 17.4. The Appellant may object to the composition of the Appeal Panel by notifying England Squash of the objections and setting out the reasons for such objections no later than 5 working days from the date of being informed of the composition of the Appeal Panel.
- 17.5. England Squash shall immediately forward any objection received in relation to the members of the Appeal Panel to the Chair of the Appeal Panel who shall consider the objections and determine whether they are valid or in their opinion,

the grounds for objection are frivolous, unfounded or ill informed, in which case the Chair shall reject the objection.

17.6. If the objection is made against the Chair of the Appeal Panel then another member of the Appeal Panel must assess the objection.

17.7. Where the objection is made against all of the Appeal Panel then England Squash must assess the objection.

17.8. England Squash shall notify the Appellant in writing within 5 working days from the date of receipt of any objections that either:

17.8.1. the composition of the Appeal Panel has changed (in which case the Governance Department shall provide details of the new Appeal Panel); or

17.8.2. the composition of the Appeal Panel has not changed (in which case England Squash will give reasons why it has not accepted the Appellant's reasons for objecting).

17.9. The decision by the Chair of the Appeal Panel or relevant Appeal Panel Participant on the composition of the Appeal Panel under this provision shall be final.

17.10. The Appeal Panel shall have the power to hear evidence from any third party not directly involved in the appeal if the Appeal Panel is of the view that such third party may be materially or adversely affected by any decision it may make.

17.11. Where the Appellant wishes to rely upon any new evidence it must notify the Chair of the Appeal Panel at least 72 hours ahead of the hearing. The Chair of the Appeal Panel will then give any other party to the hearing as much notice of the new evidence as is reasonably possible. The Chair of the Appeal Panel shall determine the weight to be given to such evidence.

18. The Conduct of Appeal Panel Hearings

18.1. Any appeal of a Disciplinary Panel Decision shall be by way of review only and not a re-hearing.

18.2. The conduct of Appeal Panel proceedings will be in accordance with the principles of natural justice as determined by and consistent with the law of England and Wales.

- 18.3. The standard of proof in all cases before the Appeal Panel is the balance of probabilities.
- 18.4. Proceedings, findings or decisions of an Appeal Panel shall not be invalidated by reason of any minor defect, irregularity, omission or technicality unless such defect, irregularity, omission or technicality amounts to a material irregularity and forms a ground of appeal.
- 18.5. England Squash shall make a detailed written record of the Appeal Panel proceedings. The proceedings may also be recorded.
- 18.6. If the Appellant does not attend the Appeal Hearing, provided that the Appeal Panel is satisfied that notice of the hearing was served properly, it may proceed to hear the evidence in the absence of the Appellant.
- 18.7. Appeal Panels will not be obliged to follow strict rules of evidence. It may admit such evidence as it deems fit and accord such evidence such weight as they think appropriate in all the circumstances. Where the subject matter of a Complaint or matter before the Appeal Panel has been the subject of previous civil or criminal proceedings, the result of such proceedings and the facts and matters upon which such result is based will be presumed to be correct and the facts presumed to be true unless it is shown by clear and convincing evidence that this is not the case.
- 18.8. In the case of appeals, a failure to observe the time limits specified in the Procedures shall nullify any proceedings.
- 18.9. At the hearing the Appeal Panel shall consider all the evidence made available to it by England Squash and the Appellant, including the written and/or oral testimony of any witnesses supporting that evidence. It may question England Squash, the Appellant and any witnesses present in relation to the matter. Each party will be entitled to question the other's witnesses. It may call upon either England Squash or the Appellant to supply additional evidence and may adjourn the hearing for that or any other purpose.
- 18.10. The Appeal Panel shall decide any issue by majority and no member of the Appeal Panel may abstain from voting.

19. Powers of an Appeal Panel

- 19.1. An Appeal Panel has the power to:
- 19.1.1. dismiss the Appeal;

19.1.2. overturn any finding and any sanction imposed by the original Disciplinary Panel;

19.1.3. remit the matter for a re-hearing;

19.1.4. substitute an alternative finding;

19.1.5. reduce or increase the original sanction; and/or

19.1.6. make such further order as it considers appropriate.

19.2. For the avoidance of doubt, sanctions may be increased as well as decreased on appeal.

19.3. Any sanction imposed, confirmed or varied by the Appeal Panel shall normally commence on the day following the date of the appeal or with immediate effect.

19.4. Chair of the Appeal Panel may:

19.4.1. announce the decision of the Appeal Panel on the date of the hearing; or

19.4.2. defer the Appeal Panel's decision to a later date

19.5. In any event, the Chair of the Appeal Panel shall, within 10 working days, deliver a written decision to England Squash who will distribute the written decision to the Appellant and all Interested Parties.

19.6. The decision of an Appeal Panel shall be final and binding upon the parties, and there shall be no further right of appeal from it.

19.7. The decision of the Appeal Panel and sanction imposed, if any, shall be made public after it has been notified to all the parties. All parties to an appeal hearing are deemed to have consented to such publication.

20. Costs of an Appeal Panel

20.1. The Appeal Panel shall have discretion to require an unsuccessful Appellant to pay the costs of the appeal which shall include:

20.1.1. the costs of the Appeal Panel;

20.1.2. the travelling expenses of any witnesses; and

20.1.3. the legal costs incurred by the Appeal Panel and/or England Squash (but not the legal costs of any other party to the Appeal).

21. Record Keeping and Data Protection

21.1. All personal data held in connection with a disciplinary matter will be held in accordance with GDPR guidelines as outlined on the England Squash website.

21.2. Save where the Disciplinary/Appeal Panel provides otherwise, Decisions will ordinarily be published on the England Squash website. England Squash may notify appropriate third parties of the outcome of any disciplinary matter.

21.3. For the avoidance of doubt, in addition to providing notice to the individual or organisation concerned as provided for above in these Procedures, England Squash will, at its discretion, report interim suspensions and disciplinary decisions and orders to relevant senior officials of any club, County Association or other organisation within the membership of England Squash through which the individual is known, or reasonably believed to operate.

21.4. All records kept of proceedings under these Procedures shall be kept securely by England Squash for a period of 6 years, after which time they will be destroyed.

21.5. A list of historic decisions will be made available to all Members in order to promote consistency of disciplinary action throughout the game of Squash.

APPENDIX A - Types of Disciplinary Matter and Jurisdiction

NATIONAL LEVEL

- Complaints and concerns in the following areas must be reported at a national level to England Squash:
 - Doping issues – these will be dealt with via the World Squash Federation Policy on Anti-Doping.
 - Betting and Gaming issues, for example, unusual betting activity or players betting on the outcome of matches in which they are involved.
- Any incidents that may fall into a breach of the England Squash Equality Policy. In certain circumstances these may be referred back to a local level but they must be reported at a national level in the first instance.
- Safeguarding issues where statutory authorities are involved – these will be dealt with via the England Squash Safeguarding Children and Young People Policy and England Squash Safeguarding Adults Policy.

COUNTY LEVEL

Types of disciplinary matters that may be dealt with at a county level:

- General breaches of the England Squash Code of Conduct unless they relate to the Equality Policy
- Breaches of the England Squash Code of Conduct at county events and by participants within a county role

- General disciplinary matters - for example offensive language or behaviour
- On court issues or matters relating to repeat offences on court at a county level

It is recognised that it is not always easy to decide under which level a matter may be most suitable for, therefore matters can be discussed in confidence with England Squash.

If a matter that would ordinarily be dealt with at county level involves clubs/persons from more than one county, the matter will be dealt with at national level.

Appeals arising from matters dealt with at county level will be heard initially at county level and may be escalated to national level.